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मध्यप्रदेश राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 302]

भोपाल, गुरुवार, दिनांक 18 जुलाई 2019—आषाढ़ 27, शक 1941

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 18 जुलाई 2019

क्र. 12205-181-इक्कीस-अ(प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश सिंचाई प्रबंधन में कृषकों की भागीदारी (संशोधन) विधेयक, 2019 (क्रमांक 16 सन् 2019) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राजेश यादव, अतिरिक्त सचिव.

MADHYA PRADESH BILL

No. 16 of 2019

**THE MADHYA PRADESH SINCHAI PRABANDHAN ME KRISHKON KI
BHAGIDARI (SANSHODHAN) VIDHEYAK, 2019**

A Bill further to amend the Madhya Pradesh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhiniyam, 1999.

Be it enacted by the Madhya Pradesh Legislature in the seventieth year of the Republic of India as follows:-

**Short title and
commencement.**

1. (1) This Act may be called the Madhya Pradesh Sinchai Prabandhan Me Krishkon Ki Bhagidari (Sanshodhan) Adhiniyam, 2019.

2. It shall be deemed to have come into force from the 8th day of March, 2019.

**Amendment of
Section 4.**

2. In Section 4 of the Madhya Pradesh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhiniyam, 1999 (No. 23 of 1999), in sub-section (3), in the existing proviso, for full stop, colon shall be substituted and thereafter the following proviso shall be inserted, namely:—

“Provided further that on expiry of term of office of members, if the managing committee is not reconstituted, the State Government may, by notification, extend the term of office of the members for further period of six months, from the date of such expiration, recording the reason for such extension. After election this extended period shall be adjusted in the period as specified in sub-section (3) and sub-section (7).”.

**Repeal and
saving.**

3.(1) The Madhya Pradesh Sinchai Prabandhan Me Krishkon Ki Bhagidari (Dwitiya Sanshodhan) Adhyadesh, 2019 (No. 5 of 2019) is hereby repealed.

(2) Notwithstanding the repeal of the said Ordinance, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provision of this Act.

STATEMENT OF OBJECTS AND REASONS

In sub-section (3) and sub-section (7) of Section 4 of the Madhya Pradesh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhiniyam, 1999 (No. 23 of 1999), it is provided that the President and the members of the managing committee of water users' association shall if not recalled or removed, be in office for a term of six years from the date of appointment.

2. After enforcement of the Act, election for 1765 water user's associations was conducted and the notification of appointment of competent authority is issued on 4 January, 2017 in the official Gazette. The term of office of the chairmen of these water users' association and one third member of 5120 territorial constituencies had been expiring on 3 January, 2019, but in compliance of Ordinance No. 3 of 2019 dated 8th March, 2019, the term of office was extended for period of six months from the expiration dated 3 January, 2019, by the departmental notification No. 32-18-201-medium-145 dated 9 April, 2019, which will be expired on 3 July, 2019, and due to the retirement of one third members of 360 territorial constituencies of 93 water user's associations and Chairmen thereof on 3 July, 2019. This all 1765+93=1858 institutions will be ineffective. Therefore, it is necessary that the term of said all institutions be further extend for the period of six months. After election this extended period shall be adjusted as specified in sub-section (3) and sub-section (7) of Section 4.

3. As the matter was urgent and the Madhya Pradesh Legislative Assembly was not in session, the Madhya Pradesh Sinchai Prabandhan Me Krishkon Ki Bhagidari (Dwitiya Sanshodhan) Adhyadesh, 2019 (No. 5 of 2019) was promulgated for the purpose. It is now proposed to replace the said Ordinance by an Act of the State Legislature without any modification.

4. Hence this Bill.

BHOPAL:

Dated 8th July, 2019

HUKUM SINGH KARADA

Member-in-Charge.